

HAWAIIAN GAZETTE

M. RAPLEE,
DIRECTOR OF THE GOVERNMENT PRESS
HONOLULU:
WEDNESDAY, JANUARY 31, 1872.
BY AUTHORITY.



I have appointed Colonel the Hon. D. KAKAKA to act as Governor of the Island of Oahu during my absence.

JAS. O. DRAPER,
Governor of Oahu.

Notice is hereby given, that the School House in Honolulu, Hamakua, Island of Hawaii, is set apart as a second place for receiving votes for a Representative to the next Legislative Assembly, from said District.

FRED. W. HENRICKSEN,
Minister of the Interior.

Interior Office, January 16th, 1872.

Notice is hereby given, that in accordance with the provisions of Sec. 782 of the Civil Code, I do hereby establish that, in addition to the usual place for receiving votes for Members of the coming election for Representatives to the Legislative Assembly, in the District of Hamakua, Island of Hawaii; or, in the front entrance to the Court-house, a second place for receiving such votes shall be at the rear entrance to the said Court-house.

Also, for the District of Hamakua, Island of Kauai, the School-house at Amakoa is set apart as a second place for receiving votes for a Representative from said District.

FRED. W. HENRICKSEN,
Minister of the Interior.

Home Office, Jan. 1st, 1872.

The Election of Representatives to the next Legislative Assembly, will take place throughout the various Election Districts of the Kingdom, on the First Monday of February next. The following places are designated for holding the elections:

HAWAII.

District of Hilo—Court-house in Hilo.
District of Hamakua—Court-house in Waimea.
District of Kohala—Court-house, Waimea, and Court-house, North Kohala.

District of North Kona—School-house, Kailua.
District of South Kona—School-house, Honokaa.

District of Kau—Court-house, Waikane.

District of Puna—School-house, Halepuan.

MAUI.

District of Lahaina—Court-house, Lahaina.

District of Kepapu—School-house, Honoaia.

District of Waikiki—Court-house, Waikiki.

District of Kauai—Court-house, Kauai.

District of Hanapepe—Court-house, Hanapepe.

FRED. W. HENRICKSEN,
Minister of the Interior.

Interior Office, Dec. 29th, 1871.

ELECTION DAY.

We remind our readers that Monday next is Election day. Of the twenty-eight Representatives to be chosen to the Legislative Assembly, four are to be elected to represent this District. The polls, according to the notice given by the Minister of Interior, will be opened at the Court House, one at the front and the other at the rear entrance of the building. This arrangement will expedite the voting, as well as accommodate the voters by giving them easy access to the ballot-boxes, and thereby subjecting them to little or no detention.

To the list of voters as already published, made up of persons who had paid their taxes on or before the last day of December, about three hundred more names have been added, made up of those who since that date have paid their taxes, and been supplied by the Tax Collector with the receipt bearing the words "Qualified to vote," and those who applied to the Inspectors at their meetings last week for the correction of omissions or errors in the list. A new list has been published for the use of the Inspectors on election day.

We have heard inquiries made as to whether the Inspectors would have the list under revision again before the opening of the polls, so as to allow negligent and procrastinating electors a still further opportunity to get their names upon the list. Under the law, before its revision in 1868, the Inspectors were required to hold a session for this purpose at the polls for an hour previous to the opening of the election; but the present law only requires them to hold two sessions, not more than twenty and not less than ten days previous to the election. These two sessions were held last week, and we suppose this covers their whole duty in the matter.

The registration this year comprises about 1,800 names—a larger number than that of the last election, and much larger than the number of votes cast. It does not, however, include all those who were returned by the Assessor as qualified to vote—the number returned by him being 2,198, while the number assessed for poll-tax is 2,163. The missing electors are found among those who have failed as yet to pay their taxes, and therefore fall into the class of delinquents.

It should be remembered by voters that they will be required to show their tax receipts at the polls before the Inspectors can receive their ballots. The law requires the Inspectors to cancel or refuse these receipts, and makes it obligatory on the voter to produce this receipt as well as to have his name appear on the list. It will save some grumbling, and will obviate all discussion if the voters do not forget the necessary tax receipt.

The polls open at 8 o'clock in the morning and close at 4 o'clock in the afternoon.

Although the approaching election does not appear to have created much excitement thus far, and public meetings for the discussion of political questions and

encidation of the views of the candidates have not been the order of the day, yet there has been considerable activity displayed in the canvass, and there has been no small splitting of tickets and combinations among the candidates themselves, on the score of personal popularity. Seven different tickets, we hear, are offered to the electors of this District to choose from, and if they are all pressed upon the voters with the ardor that has characterized former election days, we may anticipate that next Monday will be a very lively day.

STORM SIGNALS.

One of the most useful services to which the Electric Telegraph has been put is the transmission of storm signals. The signal service which has been adopted in Great Britain and other European countries and the United States, through the agency of which the direction and velocity of storms are reported through the telegraph, thousands of lives and vast amounts of property have been saved from destruction.

General Myer, Chief Signal Officer of the United States, in his report states that since the first synchronous weather observations in that country, on the morning of November 8th, 1870, 16,000,000 copies of the synopsis and probabilities have been laid before the public, 1,000 detailed charts have been prepared, and 600 areas of high and low barometers traced. A new cipher is preparing for the transmission of telegraphic reports in each of the stations, and measures are being taken to furnish Western cities with information of the rise and fall of rivers and to give the agricultural districts greater direct benefit from the service. It is thought desirable to establish stations at Sili, an² on the Hawaiian and West India Islands. Shipmasters will be furnished with instruments for making observations from which to prepare reports.

It is worthy of remark that of the published probabilities of storms which have appeared in the United States, sixty-five per cent, have been verified. The Chief Signal Officer is of the opinion with the extension of the telegraphic system, the weather reports might be made available and useful throughout the globe as well as a single continent.

SUPREME COURT, JAN'T TERM, 1872.
REPORT HANNAH, J., WITHOUT DICT.

JOHN MONTGOMERY VS. J. C. PFLUGER.
Contract to recover \$47,340.00 price of hay sold and delivered to defendant. Defence, general denial.

Mr. Preston for Pflug.
Mr. Stanley for Delt.

BY THE COURT:

The plaintiff is an attorney-at-law and Police Justice, and raises and sells grass or hay, keeping no stock, and entering in a kind of day-book the names of persons to whom he delivers hay, with dates and amounts. This book was offered in evidence to show the accuracy of the plaintiff's bill rendered, but was objected to as inadmissible.

The entries are made in rather an unsystematic form, the account against the defendant appearing on the last page, and entries against other persons at subsequent dates being made in earlier pages. This evidence was admitted, however, with the defendant's suppository testimony that they are original entries made by himself of the actual amount of hay sold and delivered at the dates named. The question of the admissibility of this evidence was reserved for the consideration of the full Court.

The plaintiff also filed in evidence the bill he had rendered to the defendant, which corresponds with the entries in showing 2175 lbs. of hay delivered to the defendant from March to June last. This bill was returned with an indorsement by the defendant to the effect that he was not sure that the plaintiff had been delivering such an amount of hay to him, but supposed it was merely hay delivered in exchange for stable manure which the plaintiff was taking from the defendant's premises. There was further evidence that hay was delivered to the defendant by the plaintiff at the alleged dates, and in some instances at the request of the defendant's groom.

There is no evidence of the value of the manure taken by the plaintiff, nor of an agreement that it should be taken in exchange for hay. The hay is shown to be worth a cent and a half a pound.

On consulting with their Honors the Chief Justice and Second Associate Justice, I am informed by them that they concur with me in the view that in this case the plaintiff's book of original entries is entirely admitted, taking into consideration the fact that there was no check that the amount is no larger than it is—*to prove* to make much claim it is doubtful how far such bills should be admitted, since bills may be rendered before the demands accumulate—that a delivery of some hay is otherwise proved, and that by the nature of this case there could be no other way of showing the accuracy of the bill. Of course such evidence, if admitted, is always to be scrutinized carefully, and is open to the objection that it is offered by the party in interest.

By the law of agency a party would be liable for hay supplied to him at the request of his groom, and used for his horses, in the absence of evidence that the groom was not authorized to obtain the hay, or that the principal usually attended to such matters himself. The facts that the hay was furnished and used, and that the groom requested it to be furnished, are prima facie evidence of a contract for its purchase authorized or ratified by the employer. This is not, however, evidence tending to show that the hay was to be taken in exchange for manure, or that manure had been given for the hay. Judgment for the plaintiff is ordered.

Honolulu, Jan. 26, 1872.

JOHN THOS. WATERHOUSE.

MAKAWAI, January 24, 1872.

To the Editor of the Hawaiian Gazette—

DEAR SIR:—During the late Kona storm, which was very severe on this island, I devoted part of my time to a thorough calculation of the solar eclipse of June 5th, 1872, for the latitude and longitude of Flinders' Observatory at Honolulu. I thought that this might properly be considered as one of the division of the Government Survey, and that the results might be of interest to some of the readers of the Gazette.

At the Petit Bourg Uino the sun is obscured in a mill of 40-horse power made by Cail & Co., Paris. The rollers are much thicker in proportion to their length than the general run of mills manufactured in England and Scotland. Although of 40-horse power, the mill at the Petit Bourg Uino has rollers only 5 ft. in length. This mill extracts about 72 per cent from plant cans, and from 60 to 70 per cent from rations. The steam is supplied both for the machinery and boiling by five multi-tube boilers of the shape of locomotive boilers. With coal only used, these boilers would be equal to 100 horse power each, as the megas is increased in the boiler furnace immediately as it is jutting from the mill by the size of two tons of coal per diem for each mill.

The mills open at 8 o'clock in the morning and close at 4 o'clock in the afternoon.

Although the approaching election does not appear to have created much excitement thus far, and public meetings for the discussion of political questions and

encidation of the views of the candidates have not been the order of the day, yet there has been considerable activity displayed in the canvass, and there has been no small splitting of tickets and combinations among the candidates themselves, on the score of personal popularity. Seven different tickets, we hear, are offered to the electors of this District to choose from, and if they are all pressed upon the voters with the ardor that has characterized former election days, we may anticipate that next Monday will be a very lively day.

Having occasion to visit our station on the summit in the course of the Government Survey, last December, I took great pains to determine its elevation. Hourly observations were made for five days on two barometers, one on the summit, and the other at a station in Makawao, the height of which had been previously determined.

The mean of these observations gave 10,630 feet for the height of the summit above half tide. It

was also measured by triangulation, from three stations below, with the 12-inch theodolite by Troughton & Simms. The four measurements give substantially the same result, none of them differing over three feet from the figures above.

I remain, yours very truly,

W. D. ALEXANDER.

LIRE, KAU, DECEMBER 25, 1872.

Mr. EYROR.—On the night of Saturday last, the 20th instant, the schooner Haitie was nearly lost at Nawiliwili while attempting to leave the harbor. She was heavily laden at the time, having sugar, below and cattle and passengers on deck. As she made sail, the wind which was blowing quite strong from the westward, carried her against the rocky point at the entrance of the harbor. Her anchors were let go, but not in time to prevent her from striking on the rocks. Information was sent to the village of the danger which threatened the vessel, and among the first who came to the rescue were Mr. G. N. Wilcox and a native named Piako, both of whom being expert swimmers, plunged into the foaming sea and reached the schooner in safety. They succeeded, with the aid of several others, in running out a kedge, and after great exertion got the vessel off and assisted in making sail on her.

The vessel and her cargo, valued at between four and five thousand dollars, were saved through the noble efforts of Mr. Wilcox and Piako.

Honor to whom honor is due.

EDWARD H. ALEXANDER.

Editor of the Hawaiian Gazette.

THE HAWAIIAN GAZETTE.

P. C. A. is an editorial with the caption "The Poll Tax a Misnomer," which goes on to set forth the reasons why it is so.

Upon reference to my copy of Webster's *Unabridged*, I find the definition of "Poll tax" to be:

"A poll, means head; and "to poll" has other meanings quite as original as the register of yours, &c."

Very High Surf.

To the Editor of the Hawaiian Gazette—

DEAR SIR:—On Saturday night of the 13th inst., was the highest inundation, or heavy ground swell that has been known for over forty years. The mad rollers rolled into harbor (Waimea), one after the other as if they would overwhelm us, knocking down the fish-pond wall, and threatening to demolish the footbridge which spans the river near the sea.

Monday, the sea was calm, and the sleep Walleye came in and landed her freight. But the next morning the surf rose again, almost as high as on Sunday morning. We all thought that our lively little pocket would be swept from her moorings. But thanks to the anchor, chain, and buoy placed here by our paternal Government, and a few coils of rope obtained from the stores in the place, she rode out the inundation in perfect safety.

Yours truly,

S. N. ENTRON.

NEW ADVERTISEMENTS.

SEE MY COLUMN!

NOT THIS, but the Other One!

QUEER! Very Queer!

IN MY ADVERTISING COLUMN, my Birds Trap, Bird Houses and Breeding Cages, of which I have a splendid assortment, are crowded out. They will be sold cheap, very cheap.

FUNNY! Very Funny!

In my Advertising Column, my Bird Trap, Bird Houses and Breeding Cages, of which I have a splendid assortment, are crowded out. They will be sold cheap, very cheap.

QUEER! Very Queer!

My Fiddle-blair, Whelp-ton & Cooke's are crowded out and are included in the Notices.

Iron Posts for Wire Fencing, which I will sell for 25 cents each, is much less than the raw material price.

THE FINEST OF ALL—Brassols Carpet which I have for sale, a splendid article, and guaranteed of equal quality, at 20 per cent less than the Carpet of the same size, color and quality.

For the same reason, I will sell my old carpet, 10x12, 10x14, 10x16, 10x18, 10x20, 10x22, 10x24, 10x26, 10x28, 10x30, 10x32, 10x34, 10x36, 10x38, 10x40, 10x42, 10x44, 10x46, 10x48, 10x50, 10x52, 10x54, 10x56, 10x58, 10x60, 10x62, 10x64, 10x66, 10x68, 10x70, 10x72, 10x74, 10x76, 10x78, 10x80, 10x82, 10x84, 10x86, 10x88, 10x90, 10x92, 10x94, 10x96, 10x98, 10x100, 10x102, 10x104, 10x106, 10x108, 10x110, 10x112, 10x114, 10x116, 10x118, 10x120, 10x122, 10x124, 10x126, 10x128, 10x130, 10x132, 10x134, 10x136, 10x138, 10x140, 10x142, 10x144, 10x146, 10x148, 10x150, 10x152, 10x154, 10x156, 10x158, 10x160, 10x162, 10x164, 10x166, 10x168, 10x170, 10x172, 10x174, 10x176, 10x178, 10x180, 10x182, 10x184, 10x186, 10x188, 10x190, 10x192, 10x194, 10x196, 10x198, 10x200, 10x202, 10x204, 10x206, 10x208, 10x210, 10x212, 10x214, 10x216, 10x218, 10x220, 10x222, 10x224, 10x226, 10x228, 10x230, 10x232, 10x234, 10x236, 10x238, 10x240, 10x242, 10x244, 10x246, 10x248, 10x250, 10x252, 10x254, 10x256, 10x258, 10x260,